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**NAACP LEGAL DEFENSE &  
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**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK**

GEORGE MANDALA and CHARLES  
BARNETT, individually and on  
behalf of all others similarly situated,

Plaintiffs,

v.

NTT DATA, INC.,

Defendant.

Case No. 18 Civ. 6591 (CJS)

**DECLARATION OF CHRISTOPHER M. MCNERNEY IN SUPPORT OF  
PLAINTIFFS' MOTION TO VACATE JUDGEMENT PURSUANT TO  
FEDERAL RULE OF CIVIL PROCEDURE 60**

I, Christopher M. McNerney, declare as follows:

1. I am a partner at the firm of Outten & Golden LLP ("O&G") in New York, NY, am admitted to practice before this Court, and am one of the lawyers primarily responsible for prosecuting Plaintiffs' claims on behalf of themselves and the putative classes.

2. I make these statements based on personal knowledge and would so testify if called as a witness at trial.

**Exhibits**

3. Attached as **Exhibit A** is a true and correct copy of Plaintiffs' proposed First Amended Class Action Complaint.

4. Attached as **Exhibit B** is a true and correct copy of Plaintiffs' proposed order granting their motion.

\* \* \*

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct.

Dated: March 31, 2021  
New York, New York.

By: /s/ Christopher M. McNerney  
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